



DMCJA Board of Governors Meeting
Friday, August 13, 2021, 12:30 p.m. – 3:30 p.m.
Zoom Video Conference <https://wacourts.zoom.us/j/97570254401>

MEETING MINUTES

Members Present:

Chair, Judge Charles D. Short
Judge Thomas Cox
Judge Anita Crawford-Willis
Judge Michael Frans
Judge Michelle K. Gehlsen
Judge Drew Ann Henke
Commissioner Rick Leo
Judge Catherine McDowall
Judge Lloyd Oaks
Judge Kevin Ringus
Judge Jeffrey Smith
Judge Mindy Walker
Judge Karl Williams
Commissioner Paul Wohl

Guests:

Judge Tam Bui, BJA Representative
Judge Mary Logan, BJA Representative
Judge Rebecca Robertson, BJA Representative
Judge Jennifer Forbes, SCJA
Kris Thompson, DMCMA
Anthony Jones, Northwest Indian Bar Association

AOC Staff:

Stephanie Oyler, Primary DMCJA Staff
J Benway, Principal Legal Analyst
Brittany Gregory, Associate Director of Judicial and
Legislative Relations

Members Absent:

Judge Laura Van Slyck

CALL TO ORDER

Judge Charles D. Short, District and Municipal Court Judges' Association (DMCJA) President, noted a quorum was present and called the DMCJA Board of Governors (Board) meeting to order at 12:34 p.m.

WELCOME AND MINUTES

Judge Short welcomed everyone to the August 2021 meeting of the DMCJA Board of Governors.

A. Minutes

The minutes from the July 9, 2021 meeting were previously distributed to the members. Judge Short asked if there were any changes that needed to be made to the minutes. Hearing none, the minutes for the July 9, 2021 meeting were approved by consensus.

COMMITTEE AND LIAISON REPORTS

A. Diversity Committee Report

Judge Karl Williams reported regarding the Diversity Committee under a later agenda item.

B. Legislative Committee Report

Commissioner Paul Wohl reported that the Legislative Committee had their first meeting of the year today, in preparation for the 2022 legislative session. He shared that the committee started the first steps towards putting together a legislative package based primarily on requests submitted by DMCJA members, which

would be further fleshed out before the next meeting in September. He reported that Melissa Johnson, DMCJA lobbyist, was introduced to the committee at this meeting and that she felt that the next legislative session would be live but with the opportunity for people to testify remotely, which works well for DMCJA because we can bring more members to testify as subject matter experts without the hassle and expense of travel. Judge Kevin Ringus added that the next Legislative Committee is where decisions will be made, and which will occur immediately prior to the September DMCJA Board meeting.

C. Rules Committee Report

J Benway, AOC Legal Services Principal Legal Analyst, reported that Rules Committee did not meet in July.

D. Special Funds Report

Judge Jeffrey R. Smith provided the Special Fund Report, and the report was accepted by consensus.

E. Treasurer's Report

Judge Karl Williams provided the Treasurer's Report, and the report was accepted by consensus.

F. Liaison Reports

1. Administrative Office of the Courts (AOC)

Judge Short introduced Brittany Gregory, AOC Associate Director of Judicial and Legislative Relations, and noted that she has been very helpful already in assisting DMCJA with legislative requests. Brittany Gregory shared that she has been working with the AOC Budget Director to submit decision packages on DMCJA's behalf, which includes funding for a policy analyst and potentially a funding request for e-filing fees.

2. Board for Judicial Administration (BJA)

Judge Tam Bui reported that BJA Court Education Committee and the full BJA will resume meetings in September.

Judge Mary Logan reported that BJA Budget and Finance Committee has not met.

Judge Rebecca Robertson reported that BJA Policy and Planning Committee did meet but that she was not present.

3. CLJ-CMS Project and Rules for e-Filing

Judge Kimberly Walden was not present and did not report.

4. District and Municipal Court Management Association (DMCMA)

DMCMA President Kris Thompson reported that the association is continuing with equity and diversity trainings, and that DMCMA representatives recently met with Kalispel Tribal Court to learn more about their operations, and to open the lines of communication.

5. Judicial Information System (JIS) Report

AOC Business Liaison Vicky Cullinane was not present and did not report.

6. Minority Bar Associations – Northwest Indian Bar Association

Northwest Indian Bar Association (NIBA) President Anthony Jones reported that NIBA is a small bar association, with fewer than 100 members at any given time distributed across several states (Washington, Oregon, Idaho, Alaska), but with a lot of activity concentrated around the Seattle area. Members do not have to be a member of a tribe, but are usually law students or individuals who work in tribal law. Anthony Jones shared that NIBA's primary purpose is to provide mentorship for Native Americans in law, in addition to fostering education and welfare. One of their primary activities is

providing stipends or scholarships to students. Judge Short inquired when NIBA would be holding their next annual meeting, and Anthony Jones responded that there is some uncertainty due to COVID but that he will forward more information about their upcoming events.

7. Misdemeanant Probation Association (MPA)

MPA Representative Regina Alexander was not present and did not report.

8. Racial Equity Consortium

Judge Anita Crawford-Willis and Judge Michelle K. Gehlsen reported that it has been a pleasure to serve on the Consortium, due to the strong diversity of individuals and ideas.

9. Superior Court Judges' Association (SCJA)

Judge Jennifer Forbes, SCJA President-Elect, reported that the upcoming legislative session has been dominating most of SCJA's recent work. She shared that SCJA recently met with Senator Pedersen to discuss pretrial release legislation, and that DMCJA is welcome to contribute to the conversation. She also shared that SCJA has been working on issues relating to eviction, which is complicated because the Landlord Tenant Council is advocating for jury trials, which by statute take priority over civil cases and are required to occur within 60 days of filing. Judge Forbes emphasized that SCJA hopes to work with DMCJA to strategize for unified messaging.

10. Washington State Association for Justice (WSAJ)

WSAJ Representative Mark O'Halloran, Esq., was not present and did not report.

11. Washington State Bar Association (WSBA)

WSBA Representative Bryn Peterson, Esq., was not present and did not report.

BREAK

Judge Short recessed the meeting for a 10 minute break.

ACTION

A. ITG 265 Board Endorsement Confirmation

Motion/Second/Pass (M/S/P) to confirm the ITG 265 board endorsement.

DISCUSSION

A. Washington Association of Prosecuting Attorneys (WAPA) Letter and Association of Washington Cities' (AWC) Response

Judge Short stated that DMCJA received a letter from the WAPA regarding *Invalid Municipal Court Convictions* which has been provided in the materials packet, along with the response letter received from the AWC. Discussion ensued about whose responsibility it is to fix this issue – is this appropriate for courts? Judge Short shared that Pam Loginsky from WAPA wanted to make courts aware so that each municipal jurisdiction is looking at the issue for purposes of information sharing or encouraging stakeholder meetings.

B. Electronic Home Monitoring (EHM) and Jail Alternatives Survey

Judge Williams explained that Diversity Committee has provided a link to a sample survey (<https://www.surveymonkey.com/r/GV59D7Q>), which is on the agenda. He stated that many individuals who

need home monitoring the most are the least able to pay for it, and shared that the Jail Confinement Alternative Program sponsored by Pierce County for indigent or financially disadvantaged individuals is a successful model. The City of Tacoma has procured enough funds to establish an electronic home monitoring program that would be subsidized by the city so that those who could not afford home monitoring were able to utilize the program. Judge Williams explained that this survey is to find out what courts are doing in their jurisdictions for jail alternatives and alternatives to fines, as fines tend to have an adverse impact on people of color and the financially disadvantaged. Judge Crawford-Willis inquired if funds are limited in the Pierce County program, and Judge Williams responded that pandemic funds were the initial seed money, but other funding has been extended. Judge Williams went on to explain that the program will continue for the foreseeable future, with the idea that getting a foot in the door to get started will give more data to show the council that it is cost effective to utilize these services, versus the cost of housing in correctional facilities. Judge Robertson mentioned that Federal Way has found funding sources to pay for SCRAM and other alternatives, and she would be happy to provide more information about how they requested these funds from local legislators.

C. DMCJA Proposal to amend the Emergency Meeting Requirements

Judge Short stated that due to the increasing use of online meetings, he would like to propose a change to the emergency meeting requirements from the current ten-day notice requirement to a five-day notice requirement. Discussion ensued about changing the requirement to three days instead. Decision by consensus to send this item to the Bylaws Committee for review.

D. Pattern Forms Subcommittee

Judge Gehlsen stated that the Pattern Forms Subcommittee makes recommendations to the larger Pattern Forms Committee, after approval of the proposed changes by the DMCJA board, but historically they only give the board one week to review the changes. J Benway shared that this has been a concern for a long time, and is a result of legislative deadlines and turning around the forms quickly. J Benway shared some historical knowledge about why this process has worked this way. Judge Gehlsen noted that this process should be tracked for the next few years to see how it can be improved.

INFORMATION

Judge Short brought the following informational items to the Board's attention.

- A. Ethics Advisory Committee Letter in response to DMCJA's request to amend EAO 20-07**
- B. DMCJA-related AOC Organizational Structure**
- C. EXiT Steering Committee Email: *Statement on the Future of Probation and Parole in the US***
- D. Webinar August 25, 2021 12-1 pm: *Neuroscience and Art: Art, Social and Wellbeing***
- E. Memo – AOC CFO Christopher Stanley re: Distribution of Funds, ESSB 5092, Section 115(5-6)**

OTHER BUSINESS

The next DMCJA Board Meeting is scheduled for Friday, September 10, 2021 from 12:30 p.m. to 3:30 p.m., held via Zoom video conference.

The meeting was adjourned at 1:56 p.m.